

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE: NOTICE OF REMOVAL	:	
FILED BY WILLIAM EINHORN,	:	HONORABLE JOSEPH E. IRENAS
ADMINISTRATOR OF THE	:	
TEAMSTERS HEALTH AND WELFARE	:	Civil Action No. 07-1003 (JEI)
FUND OF PHILADELPHIA &	:	
VICINITY	:	
-----	:	<b>ORDER REMANDING CASE AND</b>
	:	<b>DISMISSING AS MOOT WILLIAM</b>
	:	<b>EINHORN'S MOTION TO DISMISS</b>
	:	<b>OR ALTERNATIVELY, FOR</b>
JOHN SHEPPARD,	:	<b>SUMMARY JUDGMENT</b>
	:	(Docket # 4)
Plaintiff,	:	
	:	
v.	:	
	:	
DIANE SHEPPARD,	:	
	:	
Defendant.	:	

**APPEARANCES:**

RUSSELL AND RUSSELL  
By: Brock D. Russell, Esq.  
706 N. High Street  
P.O. Box 290  
Millville, NJ 08332  
Counsel for Plaintiff

STEVENS & LEE  
By: Jo Bennett, Esq.  
1818 Market Street, 29<sup>th</sup> Floor  
Philadelphia, PA 19103  
Counsel for William T. Einhorn, Administrator of the  
Teamsters Health and Welfare Fund of Philadelphia & Vicinity

**IRENAS**, Senior District Judge:

This matter having appeared before the Court upon the Notice  
of Removal filed by William T. Einhorn, Administrator of the  
Teamsters Health and Welfare Fund of Philadelphia & Vicinity

("the Fund"); the Court having issued an Order to Show Cause why this case should not be remanded for lack of jurisdiction; having heard oral argument and considered the Fund's submission in response to the Order to Show Cause; and for the reasons set forth in an Opinion issued on even date herewith which findings of fact and conclusions of law are incorporated herein by reference; and for good cause appearing;

**IT IS** on this 3rd day of April, 2007,

**ORDERED THAT:**

1. This case is hereby **REMANDED** to Superior Court of New Jersey, Chancery Division, Family Part, Cumberland County (Superior Court Docket FM 06 171 07).
2. The Fund's Motion to Dismiss or Alternatively for Summary Judgment (Docket # 4) is hereby **DISMISSED AS MOOT**.
3. The Clerk of Court is hereby directed to close this case.

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s/ Joseph E. Irenas  
JOSEPH E. IRENAS, S.U.S.D.J.